



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

DALE SCOTT HEINEMAN,)	Case No. CV 15-04792-RGK (KK)
Petitioner,)	
v.)	ORDER DISMISSING PETITION WITH
)	LEAVE TO AMEND
CONRAD M. GRABER,)	
Respondent.)	

On June 24, 2015, Petitioner Dale Scott Heineman (“Petitioner”), a federal prisoner proceeding *pro se*, filed a Petition for Writ of Habeas Corpus by a Person in Federal Custody (“Petition”), pursuant to 28 U.S.C. § 2241. However, the Petition has not been submitted on the form currently approved and supplied by the Central District of California for habeas petitions brought by prisoners in federal custody (*i.e.* CV-27). While not entirely clear, the Petition appears to challenge a criminal conviction, but fails to identify the most basic information regarding the conviction, including (1) the name and location of the court which imposed sentence; (2) the indictment number(s), (3) the offense(s) for which sentence was imposed; and (4) the date upon which the sentence was imposed and the terms of the sentence. Additionally, the Petition fails to provide information regarding

1 whether the conviction was appealed or whether Petitioner previously sought
2 release pursuant to 28 U.S.C. § 2255.

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4 Thus, for the foregoing reasons, the Petition is dismissed with leave to
5 amend and Petitioner is ORDERED to file an amended petition within fourteen
6 (14) days of the date of this Order. **The Clerk is directed to send Petitioner a**
7 **blank Central District habeas petition form (CV-27) for this purpose.**
8 **Petitioner is directed to utilize that form and complete all requested**
9 **information.**

10 The amended petition should reflect the same case number; be clearly
11 labeled "First Amended Petition"; and be complete in and of itself without
12 reference to the original Petition, or any other pleading, attachment or document.

13 Alternatively, Petitioner may request a voluntary dismissal of this action
14 without prejudice pursuant to Federal Rule of Civil Procedure 41(a). A Notice of
15 Dismissal form is attached for Petitioner's convenience.

16 Petitioner is cautioned that his failure to timely file a First Amended Petition
17 or voluntary dismissal in compliance with this Order will result in a
18 recommendation that the action be dismissed without prejudice for failure to
19 prosecute.

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21 DATED: June 26, 2015



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23 HON. KENLY KIYA KATO
24 UNITED STATES DISTRICT JUDGE
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